# IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF TEXAS DALLAS DIVISION

T-NETIX, INC.,	<b>§</b>
Plaintiff/Counter-Defendant,	\$ \$ \$
<b>v.</b>	§ Case No. 3:05-CV-0654-D
	§
VALUE-ADDED	§
COMMUNICATIONS, INC.	<b>§</b>
	§
Defendant/Counter-Plaintiff,	§
	§
<b>v.</b>	§
	§
SECURUS TECHNOLOGIES, INC.	§
	§
Counter-Defendant.	§ JURY TRIAL REQUESTED

### **UNOPPOSED MOTION FOR EXTENSION OF EXPERT DEADLINES**

Plaintiff T-NETIX, Inc. ("T-NETIX") and Counter-Defendant Securus Technologies, Inc. ("Securus"), file this Unopposed Motion for a 45 Day Extension of Expert Deadlines and respectfully states the following:

- 1. The current deadline for designation of burden expert witnesses and rule 26(a)(2) compliance is March 20, 2006.<sup>1</sup>
- 2. On or about November 17, 2005, T-NETIX served Plaintiff T-NETIX, Inc.'s First Request for Production of Documents to Defendant Value-Added Communications, Inc.
- 3. The Agreed Protective Order was signed by the Court on March 3, 2006 (the "Protective Order"). Accordingly, the parties delayed production of responsive documents that likely contain confidential and/or proprietary information, pending entry of the Protective Order. Additionally, discovery is ongoing and the parties are still compiling information and testimony

<sup>&</sup>lt;sup>1</sup> On January 11, 2006, the Court signed an Order granting T-NETIX, Inc.'s Agreed Motion for Extension of Expert Deadlines. This was the first extension of expert deadlines sought in this matter.

necessary to designate expert(s) and further, for those experts to formulate expert reports in compliance with Federal Rule of Civil Procedure 26(a)(2).

- 4. Accordingly, T-NETIX requests that the Court grant a 45 day extension as to the deadlines to designate burden and rebuttal experts and otherwise comply with rule 26(a)(2) as follows:
  - a. Designation of burden expert witnesses due: May 4, 2006; and
  - b. Designation of rebuttal expert witnesses due: July 2, 2006.
- 6. T-NETIX's request for an extension of time is for good cause shown, as stated in this motion, not for purposes of delay.
  - 7. VAC does not oppose and agrees to this request for an extension.
- 8. For the reasons stated above, T-NETIX requests that the Court grant its Motion for Extension of Expert Deadlines and order a 45 day extension to otherwise comply with Rule 26(a)(2); that the designation of burden expert witnesses be due on May 4, 2006; and that the designation of rebuttal expert witnesses be due on July 2, 2006.

Respectfully submitted,

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ATTORNEYS FOR T-NETIX, INC., AND SECURUS TECHNOLOGIES, INC.

### **CERTIFICATE OF CONFERENCE**

I, the undersigned attorney herein, hereby certify to the Court that I have conferred with counsel for Plaintiff Value-Added Communications, Inc., and Plaintiff's counsel does not oppose this motion.

Certified to the 7<sup>th</sup> day of March, 2006.

Jeffield Lowenstein

## **CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true and correct copy of the above and foregoing document was served upon Defendant/Counter-Plaintiff's counsel via certified mail, return receipt requested, on the 9<sup>th</sup> day of March, 2006.

Gwen I. Walraver